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(3) To all cases of admiralty and maritime jurisdiction.

(4) To controversies between our own citizens and foreign states or citizens or subjects of foreign states.

It is to be observed that there is a mass of controversies which involve, in one way or the other, a great many questions which may affect the relations of our country with Great Britain which this court must decide; and it hardly seems as if the judges of such a court ought to be selected as arbitrators in regard to controversies which may have heretofore been presented in their own court or which may hereafter be presented, and so be called upon either to announce principles at variance with the decisions of that court already rendered, or to lay down principles which that court may hereafter be called upon to consider and determine. In short it is a mingling of the judicial function of these judges with functions of quite another character which pertain not to the judiciary under the constitution, but which pertain to the executive department of the government, guided and advised as it may be by Congress or by the decisions of the Supreme Court.

And this leads me to the third objection that there is an absolute inconsistency between the two functions.

The questions which may arise in the regions of diplomacy as between Great Britain and ourselves are not, under our scheme of government, questions for judicial cognizance; they pertain to the political department of the government, and more or less take on a political complexion; and our judges should be excluded as public officers from the political arena. I am aware that Mr. Justice Nelson acted as one of the commission in negotiating the Treaty of Washington, and I have never heard any criticism of him in that regard. Mr. Jay never acted as Chief Justice after he became our minister to Great Britain; and I do not now recall any high judicial officer who has ever acted as such after going abroad as a negotiator. With no more propriety in my judgment can he go abroad as a member of an international tribunal.

The probability is that no exposition of the situation and no declaration that could be made, if declaration could now be made, by President Grant or Mr. Justice Strong or Mr. Justice Bradley, would have silenced the criticism which was attendant upon the appointment of these judges and their decision in the Legal Tender case. Nor will there be, while history is written, a suppression of the criticism, not to say clamor, which pertains to the relations of the judges of the Supreme Court to the Electoral Commission.

Finally, if the people of the United States cannot produce jurisconsults of such eminence and learning as to justify their being placed upon such an international tribunal as is proposed, then it is high time for the people of the United States to do one of the two things, either establish a practice under which such a class of men can be educated, or else withdraw for the present from a discussion of the question as to whether there shall ever be any arbitration treaties.

NEW YORK CITY.

It is the business of every wise and good man to set himself against the passion for military glory, which really seems the most fruitful source of human misery.—  
*Sidney Smith.*

## THE END OF THE BATTLE.

BY IDA WHIPPLE BENHAM.

Low trailed the rifted battle smoke;  
The bugle pealed its last,  
And where the waning column broke  
The vultures followed fast.

They saw the pennon flare and fall  
As an eagle falls and dies;  
They heard the drummer's dying call  
And the gunner's low replies.

And as they viewed the field, they cried,  
"We surely are not least  
Of those that triumph,—lo, man's pride  
Has spread a noble feast!"

MYSTIC, CONN.

## THE SILVER CHAIN.

BY RAY B. McMULLIN.

After a night of darkness deep and dense  
The gray of dawning light begins to beam,  
And softly lift the shadows from the earth,  
When gold and bright the streams of sunlight gleam.

But war-like deeds leave shadows always there;  
No sunlit ray can their dark outlines hide,  
But through the world they wait each other's step,  
As love and peace walk even side by side.

Morn after morn from out the troubled east  
A belt of rosy light showed wide and high,  
And anxious eyes saw yet at mid-day hour  
That crimson tint flash bright across the sky.

The changing sea rolled in with foam-capped waves  
And left a kiss of stain upon the sand,  
The passing ships rode high, like dark winged birds,  
Through purple haze that hung o'er sea and land.

When from above, with softened, tender light,  
The Queen of Night looked down to earth again,  
The Angel Peace stood on the shining throne,  
And in her hands she held a silver chain.

All hearts were awed to see the vision strange,  
And heads were bowed, as if in silent prayer,  
When, like a flaming message from above,  
These words rang out upon the still night air:

To every woman in the land,  
Watching the steps from wrong to right,  
I pray you mark the crimson stain  
That rests upon the land to-night.

With every call of vesper hour,  
With chiming tones of Sabbath bell,  
And from the nearest watch tower high  
Proclaim the truth. It is not well!

It is not well! While on the land  
One hand can leave a crimson stain,  
And meet a clasp whose poisoned touch  
But deeper rends the wound again.